

Dumfries and Galloway Integration Joint Board

Complaints Handling Procedure

Document Control		Policy No:	IJB02
Policy Group	IJB Governance Documents		
Author	Alison Warrick	Version No:	1.4
Reviewer	Julie White	Implementation Date:	
Status	Draft	Review Date:	
Approved By		Last Review Date:	November 2019
Impact Assessed	Not Required	Data Impact Assessed	Not Required

Version Control	Date	Summary of Changes	Name
1.1	December 2020	Initial Re-draft (based on SPSO Model Complaints Handling Procedure)	Alison Warrick
1.2	April 2021	Revision following discussions with Emma Murphy, NHS Patient Safety	Alison Warrick
1.3	June 2021	Changes before consultation	Alison Warrick
1.4	July 2021	Revisions following consultation with Chief Officer	Alison Warrick



DUMFRIES AND GALLOWAY
Health and Social Care

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Foreword

Our Complaints Handling Procedure reflects the Dumfries and Galloway Integration Joint Board's commitment to valuing complaints. It seeks to resolve patient/service user dissatisfaction as close as possible to the point of service delivery and to conduct thorough, impartial and fair investigations of complaints so that, where appropriate, we can make evidence based decisions on the facts of the case.

This revised procedure aims to help us 'get it right first time'. We aim to deliver quicker, simpler and more stream lined complaints handling with local early responses by capable, well trained staff.

All staff working as part of the Business Support Team will cover this procedure as part of their induction and will be given refresher training as required, to ensure they are confident in identifying complaints, empowered to resolve simple complaints on the spot, and familiar with how to apply this procedure, including the recording of any complaints.

Complaints give us valuable information we can use to improve service provision and service user experience. Our Complaints Handling Procedure will enable us to address a service user's dissatisfaction and may help us to prevent the same problem from happening again. Complaints can give our service users a form of redress when things go wrong and can also help us continuously improve the way we operate as an Integration Joint Board.

Handling complaints early creates better relationships between the IJB and our Local Community. Dealing with complaints at a Local Level and as quickly as possible means it is less likely to escalate to the next stage of the procedure.

The Complaints Handling Procedure will improve relationships with service users and increase public awareness of the Integration Joint Board. It will help us keep the user at the heart of the process while enabling us to better understand how to improve by learning from such complaints.

Julie White
Chief Officer
Dumfries and Galloway Integration Joint Board

Structure of the Complaints Handling Procedure

1. This Complaints Handling Procedure (CHP) explains to staff how to handle complaints. The CHP consists of:
 - Part 1 – Overview and Structure (this document)
 - Part 2 – When to use the procedure (guidance on identifying what is and what is not a complaint, handling complex or unusual complaint circumstances, the interaction of complaints and other processes, and what to do if the CHP does not apply)
 - Part 3 – The complaints handling process (guidance on handling a complaint through Stages 1 and 2, and dealing with post closure contact)
 - Part 4 – Governance of the procedure (staff roles and responsibilities and guidance on recording, reporting, publicising and learning from complaints)
 - Part 5 – The front facing CHP (information for service users on how we handle complaints)
2. When using the CHO, please also refer to the SPSO Statement of Complaints Handling Principles' and good practice guidance on complaints handling from the SPSO. Please refer to www.spsso.org.uk

Overview of the CHP

3. Anyone can make a complaint, either verbally or in writing, including face-to-face, by phone, letter or email.
4. We will try to resolve complaints to the satisfaction of the complainant wherever this is possible. Where this isn't possible, we will give the service user a clear response to each of the points of the complaints. We will always try to respond as quickly as we can (and on the spot where possible).
5. Our complaints procedure has two stages. We expect the majority of complaints will be handled at stage 1. If the complainant remains dissatisfied after stage 1 they can request that we look at it again, at stage 2. If the complaint is complex enough to require an investigation we will put the complaint into stage 2 straight away and skip stage 1.

Stage 1: Frontline response	Stage 2: Investigation	Independent external review (SPSO or other)
<p>For issues that are straightforward and simple, requiring little or no investigation 'On-the-spot' apology, explanation, or other action to put the matter right</p> <p>Complaint resolved or a response provided in five working days or less (unless there are exceptional circumstances)</p> <p>Complaints addressed by any member of staff, or alternatively referred to the appropriate point for frontline response</p> <p>Response normally face-to-face or by telephone (though sometimes we will need to put the decision in writing)</p> <p>We will tell the service user how to escalate their complaint to stage 2</p>	<p>Where the service user is not satisfied with the frontline response, or refuses to engage at the frontline, or where the complaint is complex, serious or 'high-risk'</p> <p>Complaint acknowledged within three working days</p> <p>We will contact the service user to clarify the points of complaint and outcome sought (where these are already clear, we will confirm them in the acknowledgement)</p> <p>Complaint resolved or a definitive response provided within 20 working days following a thorough investigation of the points raised</p>	<p>Where the service user is not satisfied with the stage 2 response from the service provider</p> <p>The SPSO will assess whether there is evidence of service failure or maladministration not identified by the service provider</p>

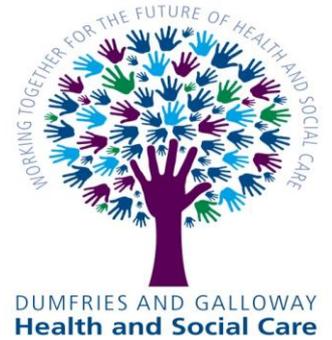
6. For detailed guidance on the process, see Part 3 – The complaints handling process

Expected behaviours

7. We expect all representatives of the Integration Joint Board to behave in a professional manner and treat complainants with courtesy, respect and dignity. We also ask complainants bring a complaint to treat our representatives with respect. We ask complainants to engage actively with the complaint handling process by:
 - Telling us their key issues of concern and organising any supporting information they want to give us (we understand that some people will require support to do this)
 - Working with us to agree the key points of the complaint when an investigation is required
 - Responding to reasonable requests for information.
8. We recognise that people may act out of character in times of trouble or distress. Sometimes a health condition or a disability can affect how a person expresses themselves. The circumstances leading to a complaint may also result in the complainant acting in an unacceptable way.
9. Complainants who have a history of challenging or inappropriate actions, or have difficulty expressing themselves, may still have a legitimate grievance, and we will treat all complaints seriously. However, we also recognise that the actions of some complainants may result in unreasonable demands on time and resources or unacceptable behaviour towards our representatives. We will, therefore, refer to the SPSO document [guidance on promoting positive behaviour and managing unacceptable actions](#)

Maintaining confidentiality and data protection

10. Confidentiality is important in complaints handling. This includes maintaining the complainants confidentially and confidentiality in relation to information about those involved in the complaint.
11. This should not prevent us from being open and transparent, as far as possible, in how we handle complaints. This includes sharing as much information with the complainant (and any staff members) as we can. When sharing information, we should be clear about why the information is being shared and our expectations on how the recipient will use the information.
12. Consideration must be given to legal requirements, for example data protection legislation as well as any other policies and procedures which may cover the use of information.



Part 2: When to use this procedure

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What is a complaint?

1. The Integration Joint Boards definition of a complaint is: 'an expression of dissatisfaction by one or more members of the public about the IJB's action or lack of action, or about the standard of service provided by or on behalf of the IJB.
2. A complaint may relate to the following but is not restricted to this list:
 - Failure or refusal to provide a service
 - Inadequate quality or standard of service, or an unreasonable delay in providing a service
 - Dissatisfaction with one of our policies or its impact on an individual
 - Failure to properly apply law, procedure or guidance when delivering services
 - Failure to allow the appropriate administrative process
 - Conduct, treatment by or attitude of a member of staff or contactor (except when there are arrangements in place for the contractor to handle the complaint themselves)
 - Disagreement with a decision (except when there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector)
3. **Appendix 1** provides a range of examples of complaints we may receive, and how these may be handled.
4. A complaint is not:
 - A routine first time request for a service
 - A request for compensation only
 - Issues that are in court or have already been heard by a court or a tribunal
 - Disagreement with a decision where there is a statutory procedure for challenging that decision (such as freedom of information and subject access requests), or an established appeals process followed throughout the sector.
 - A request for information under the Data Protection or Freedom of Information (Scotland) Acts
 - A grievance by a staff member or a grievance relating to employment or staff recruitment
 - A concern about a child or an adult's safety
 - An attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
 - A concern about the actions or service of a different organisation, where we have no involvement in the issue (except where the other organisation is delivering services on our behalf)
5. **Appendix 2** gives more examples of 'what is not a complaint' and how to direct complainants appropriately.
6. We will not treat these issues as complaints, and will instead direct complainants to use the appropriate procedures. Some situations can involve a combination of issues, where some are complaints and others are not, and each situation should be assessed on a case-by-case basis.
7. If a matter is not a complaint, or not suitable to be handled under the CHP, we will explain this to the complainant, and tell them what (if any) action we will take, and why.

Who can make a complaint?

8. Anyone who receives, requests, or is affected by our services can make a complaint. In this procedure these people are termed 'service users'
9. We also accept complaints from the representative of a person who is dissatisfied with our service.

Supporting the complainants

10. All members of the community have the right to equal access to our complaints procedure. It is important to recognise the barriers that some complainants may face complaining. These may be physical, sensory, communication or language barriers, but can also include their anxieties and concerns. Service users may need support to overcome these barriers.
11. We have legal duties to make our complaints accessible under equalities and mental health legislation. For example:
- The Equality Act 2010 – this gives people with a protected characteristic the right to reasonable adjustments to access our services (such as large print or BSL translations of information)
 - Mental Health (Care and Treatment) (Scotland) Act 2003 – this gives everyone with a 'mental disorder' (including mental health issues, learning difficulties, dementia and autism) a right to access independent advocacy. This must be delivered by independent organisation that only provide advocacy. The help people to know and understand their rights, make informed decisions and have a voice.
12. Examples of how we will meet our legal duties are:
- Proactively checking whether members of the public who contact us require additional support to access our services
 - Providing interpretation and/or translation services for British Sign Language users
 - Helping complainants access independent advocacy by signposting them to local support
13. In addition to our legal duties, we will seek to ensure that we support vulnerable groups in accessing our complaints procedure. Actions that we may take include:
- Helping complainants access independent support or advocacy to help them understand their rights and communicate their complaints (for example via Citizens Advice Scotland)
 - Providing a neutral point of contact for complaints
14. These lists are not exhaustive, and we must always take into account our commitment and responsibilities regarding equality and accessibility.

How complaints may be made

15. Complaints may be made verbally or in writing, including face-to-face, by phone, letter or email.
16. Where a complaint is made verbally we will make a record of the key points of complaint raised. Where it is clear that a complex complaint will be immediately considered at stage 2 (investigation), it may be helpful to complete a complaint form with the complainants input to ensure full details of the complaint are documented. However, there is no requirement for the person to complete a complaint form, and it is important that the completion of a complaint form does not present a barrier to people complaining.
17. Complaints may also be raised on digital platforms (including social media). Where a complaint issue is raised via a digital channel which is managed and controlled by the Integration Joint Board (for example a twitter or Facebook page) we will explain that we do not take complaints on social media, but will tell the person how they can complain.
18. We must always be mindful of our data protection obligations when responding to issues online or in a public forum.

Time limit for making complaints

19. The service user must raise their complaint within six months of when they first knew of the problem, unless there are special circumstances for considering complaints beyond this time (for example, where a person was not able to complain due to a serious illness or recent bereavement).
20. Where a service user has received a stage 1 response, and wishes to escalate to stage 2, unless there are special circumstances they must request this either:
 - Within six months of when they first knew of the problem
 - Within two months of receiving their stage 1 response (if this is later)
21. We will apply these time limits with discretion, taking into account the seriousness of the issue, the availability of relevant records and staff involved; how long ago the events occurred, and the likelihood that an investigation will lead to a practical benefit for the complainant or useful learning for the organisation.
22. We will also take account of the time limit within which a member of the public can ask the SPSO to consider complaints (normally one year). The SPSO have discretion to waive the time limit in special circumstances (and may consider doing so in cases where we have waived our own time limit).

Complaints by (or about a third party)

23. Sometimes a complainant may be unable or reluctant to make a complaint on their own. We will accept complaints from third parties, which may include relatives, friends, advocates and advisors. Where a complaint is made on behalf of a complainant, we must ensure that the complainant has authorised the person to act on their behalf. It is good practice to ensure that the complainant understands their personal information may be shared as part of the complaints handling process (particularly where this includes sensitive personal information). This can include complaints brought by parents on behalf of their child, if their child is considered to have capacity to make decisions for themselves.
24. The provision of a signed mandate from the complainant will normally be sufficient for us to investigate a complaint. If we consider it appropriate we can take verbal consent direct from the complainant to deal with a third party and would follow this up in writing to confirm this.
25. In certain circumstances, a complainant may raise a complaint involving another person's personal data, without receiving consent. The complaint should still be investigated where possible, but the investigation and response may be limited by considerations of confidentiality. The person who submitted the complaint should be made aware of these limitations and the effect this will have on the scope of the response.

Serious, high-risk or high-profile complaints

26. We will take particular care to identify complaints that might be considered serious, high-risk or high-profile, as these may require particular action or raise critical issues that need senior manager's direct input. Serious, high-risk or high-profile complaints should normally be handled immediately at stage 2
27. We define potential high-risk or high-profile complaints as those that may:
 - Involve a death or terminal illness
 - Involve serious service failure, for example major delays in providing, or repeated failures to provide, a service
 - Generate significant and ongoing press interest
 - Pose a serious risk to an organisation's operations
 - Present issues of a highly sensitive nature, for example concerning:

- A particularly vulnerable person
- Child protection

Anonymous complaints

28. We value all complaints, including anonymous complaints, and will take action to consider them further wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. Any decision not to pursue an anonymous complaint must be authorised by the Chief Officer or their nominated deputy.
29. If we pursue an anonymous complaint further, we will record it as an anonymous complaint together with any learning from the complaint and action taken.
30. If an anonymous complaint makes serious allegations, these should be dealt with in a timely manner under relevant procedures. This may not be the complaints procedure and could instead be relevant child protection, adult protection or disciplinary procedures and will be forwarded to the appropriate constituent authority.

What if the person raising concern does not want to complain?

31. If a service user has expressed dissatisfaction in line with our definition of a complaint but does not want to complain, we will explain that complaints offer us the opportunity to improve services where things have gone wrong. We will encourage the service user to submit their complaint and allow us to handle it through the CHP. This will ensure that the service user is updated on the action taken and gets a response to their complaint.
32. If the service user insists they do not wish to complain, we are not required to progress the complaint under this procedure. However, we should record the complaint as an anonymous complaint (including minimal information about the complaint, without any identifying information) to enable us to track trends and themes in complaints. Where the complaint is serious, or there is evidence of a problem with our services, we should also look into the matter to remedy this (and record any outcome).
33. Please refer to the example in **Appendix 1** for further guidance.

Complaints involving more than one area or organisation

34. If a complaint relates to the actions of two or more areas within our organisation, we will tell the service user who will take the lead in dealing with the complaint, and explain that they will get only one response covering all issues raised.
35. If a service user complains to us about the service of another organisation or public service provider, but we have no involvement in the issue, the complainant should be advised to contact the appropriate organisation directly.
36. If a complaint relates to a service on behalf of the Integration Joint Board and the service of another organisation or public service provider, and we have a direct interest in the issue, we will handle the complaint relating to the Integration Joint Board through the CHP. If we need to contact an outside body about the complaint, we will ensure data protection is adhered to.
37. Such complaints may include:
 - NHS Dumfries and Galloway
 - Dumfries and Galloway Council
 - A third sector organisation

Complaints about contracted services

38. Where we use a contractor to deliver a service on our behalf we recognise that we remain responsible and accountable for ensuring that the services provided meet the Integration Joint Boards standards (including in relation to complaints). We will either do so by:

- Ensuring the contractor complies with this procedure; or
- Ensuring the contractor has their own procedure in place, which fully meets the standards in this procedure. At the end of the investigation stage on any such complaints the contractor must ensure that the complainant is signposted to the SPSO.

39. We will confirm that service users are clearly informed of the process and understand how to complain. We will also ensure that there is appropriate provision for information sharing and governance oversight where required.

40. The Integration Joint Board has discretion to investigate complains about organisations, contracted to deliver services on its behalf even where the procedure has normally been delegated.

Complaints about senior staff/members

41. Complaints about senior staff are handled via their employing organisations procedures and polices

Complaints and service requests

42. If a complainant asks the Integration Joint Board to do something (for example, provide a service or deal with a problem), and this is the first time the complainant has contacted us, this would normally be a routine service request and not a complaint.

43. Service requests can lead to complaints, if the request is not handled promptly or the complainant is then dissatisfied with how we provide the service.

Complaints and disciplinary or whistle-blowing processes

44. If the issues raised in a complaint overlap with issues raised under a disciplinary or whistle-blowing process, we still need to respond to the part of the complaint which does not affect staff.

45. Complaints such as these should focus on whether the Integration Joint Board failed to meet our expected service standards and what we have done to improve things, in general terms.

46. Staff investigating such complaints will need to take extra care to ensure that:

- We comply with all requirements of the CHP in relation to the complaint (as well as meeting the requirements of the process)
- All complaint issues are addressed
- Records are kept of any investigation that can be made available to the SPSO if required. This can be problematic when the other process is confidential, because SPSO will normally require documentation of any correspondence and interviews to show how conclusions were reached.

Contact from MPs, MSPs or Councillors

47. The Integration Joint Board consists of 5 Elected Members from Dumfries and Galloway Council, however, other Elected Members may wish to raise a complaint on behalf of their constituents, likewise MPs or MSPs. All such complaints will be handled in line with this CHP.

48. Any such requests must always be made with the consent of the service user, further guidance on this is available <https://ico.org.uk/media/for-organisations/documents/1432063/constituency-casework-of-mps-and-the-processing-of-sensitive-personal-data.pdf>

Complaints and compensation claims

49. Where a complainant is seeking financial compensation only, this is not a complaint. However, in some cases the complainant may want to complain about the matter leading to their financial claim, and they may seek additional outcomes, such as an apology or an explanation. Where appropriate, we may consider that matter as a complaint, but deal with the financial claim separately. It may be appropriate to extend the timeframes for responding to the complaint, to consider the financial claim first.

Complaints and legal action

50. Where a complainant expresses that legal action is being actively pursued, this is not a complaint.
51. Where a complainant indicates that they are thinking about legal action, but have not yet commenced this, they should be informed that if they take such action, they should notify the person handling their complaint and that the complaints process, in relation to matters that will be considered through the legal process will be closed. Any outstanding complaints must still be addressed through the CHP.
52. If an issue has been, or is being, considered by a court, we must not consider the same issue under the CHP.

What to do if the CHP does not apply

53. If the issue does not meet the definition of a complaint or if it is not appropriate to handle it under the procedure (for example, due to time limits), we will explain to the complainant why we have made this decision. We will also tell them what action (if any) we will take and advise them of their right to contact the SPSO if they disagree with our decision not to respond to the issue as a complaint.
54. Where a complainant continues to contact us about the same issue, we will explain that we have already given them our final response on the matter and signpost them to the SPSO.
55. The SPSO has issued a [template letter for explaining when the CHP does not apply](#).

Appendix 1 – Complaints

Complaint	Possible Actions
A complaint relating to the funding of a specific service	Discuss with the complainant that the budget is set by the Scottish Government and allocated by the Integration Joint Board on a priority basis.
A complaint relating to the Strategic Commissioning Plan	Identify the areas of concern and discuss with the complainant the process of consultation regarding the SCP
A complaint from an individual that the service to which they believe they are entitled has not been provided	Apologise to the individual and advise of any action you can take. Discuss with the service lead the issues of the complainant.
A complaint that a member of staff has been rude or unhelpful	Issue an apology and discuss the situation with the staff member/supervisor of the staff member. If the initial request leading to the complaint has not been resolved then attempt to resolve this.

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Appendix 2 – What is not a complaint?

A concern may not necessarily be a complaint. For example, a service user might make a routine first time request for a service. This is not a complaint, but the issue may escalate into a complaint if it is not handled effectively and the customer has to keep on asking for service.

A service user may be concerned about a decision made by the organisation.

Example 1: Staff members parking in patient car parks at the district general hospital

Complainant would be signposted to NHS Dumfries and Galloway Complaints Handling Procedure

Example 2: A relative of someone who receives a care package thinks the care giver is never on time

Complainant would be signposted to either or both NHS Dumfries and Galloway and Dumfries and Galloway Council Complaints Handling Procedure.

Example 3: An issue is raised that nobody answers the Podiatry phone line and when they leave a message nobody returns their call.

Complainant would be signposted to NHS Dumfries and Galloway Complaints Handling Procedure

Example 4: Following a request to view their records a service user is not happy with the content

Complainant would be signposted to either or both of the NHS Dumfries and Galloway and Dumfries and Galloway Complaints Handling Procedure

Part 3: The complaints handling process

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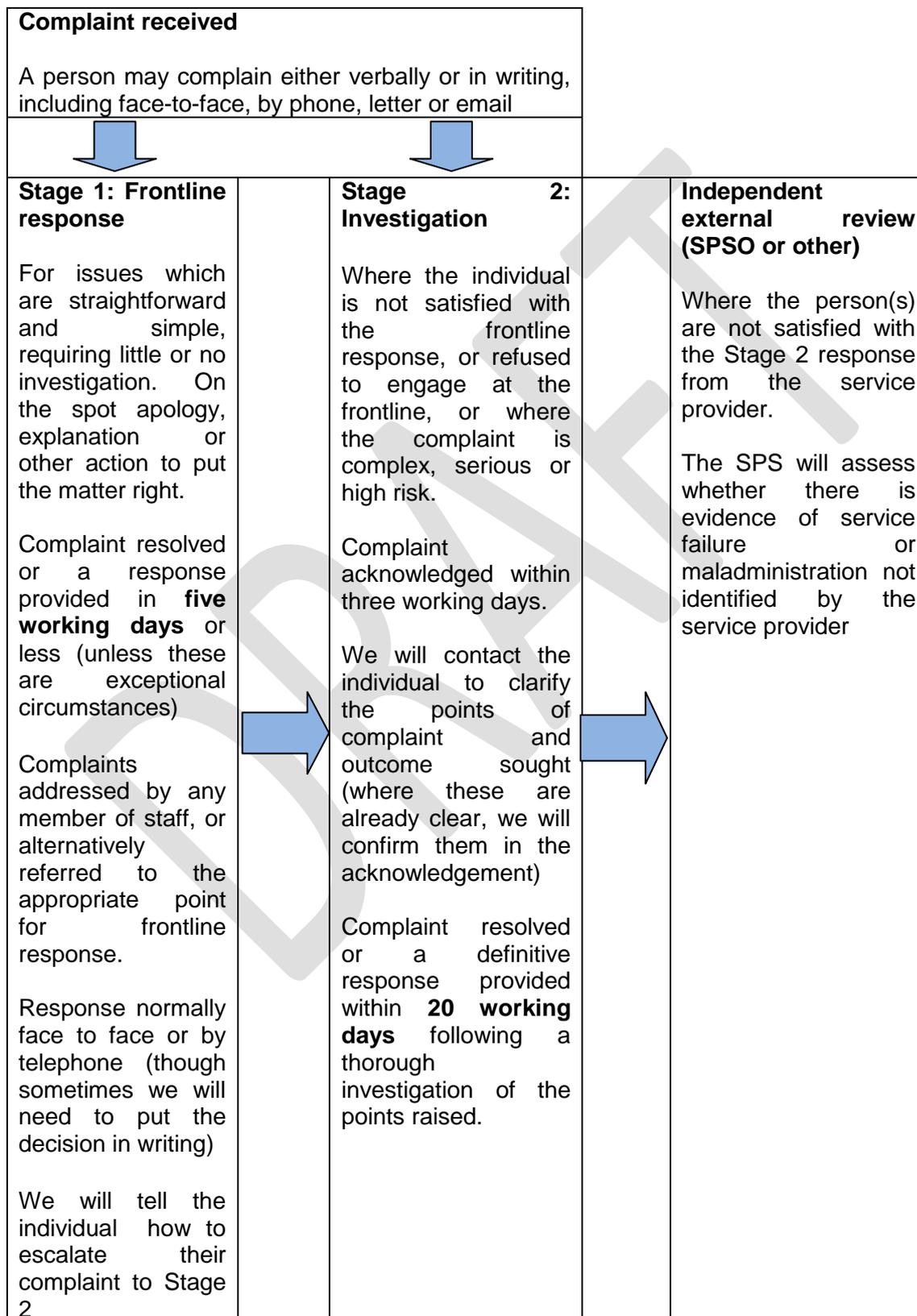
Post closure contact

Appendix 1 Timelines

Appendix 2 The complaint handling process (flowchart for staff)

The Complaints Handling Process

1. Our Complaints Handling Procedure (CHP) aims to provide a quick, simple and streamlined process for responding to complaints early and locally by capable, well trained staff. Where possible, we will **resolve** the complaint to the complainants' satisfaction. Where this is not possible, we will provide the complainant a clear and reasoned response to their complaint.




<p>Resolution</p> <p>The complainant and organisation agree what action will be taken to resolve the complaint.</p> <p>Where a complaint is resolved, it is not usually necessary to continue investigating, although an organisation may choose to do so, for example to identify learning.</p> <p>We must signpost the complainant to Stage 2 (for Stage 2 complaints) or to the SPSO as usual.</p>
<p>Reporting, recording and learning</p> <p>Action is taken to improve services on the basis of the complaint findings, where appropriate.</p> <p>We record details of all complaints, the outcome and any action taken, and use this data to analyse themes and trends.</p> <p>Senior management have an active interest in complaints and use complaints data and analysis to improve services.</p> <p>Learning is shared throughout the organisation.</p>

Resolving the Complaint

2. A complaint is resolved when both the Integration Joint Board and the complainant agree what action (if any) will be taken to provide full and final resolution for the complainant, without making a decision about whether the complaint is upheld or not upheld.
3. We will try to resolve complaints wherever possible, although we accept this will not be possible in all cases.
4. A complaint may be resolved at any point in the complaint handling process, including during the investigation stage. It is particularly important to try to resolve complaints where there is an ongoing relationship with the complainant or where the complaint relates to an ongoing issue that may give rise to future complaints if the matter is not fully resolved.
5. It may be helpful to use alternative complaint resolution approaches when trying to resolve a complaint. See Alternative complaint resolution approaches
6. Where a complaint is resolved, we do not normally need to continue looking into it or provide a response on all points of complaint. There must be a clear record of how the complaint was resolved, what action was agreed, and the complainant's agreement to this as a final outcome. In some cases it may still be appropriate to continue looking into the issue, for example where there is evidence of a wider problem or potential for useful learning. We will use our professional judgement in deciding whether it is appropriate to continue looking into a complaint that is resolved.
7. In all cases, we must record the complaint outcome (resolved) and any action taken, and signpost the complainant to Stage 2 (for Stage 1 complaints) or to the SPSO as usual (**see Signposting for the SPSO**).
8. If the complainant and the Integration Joint Board are not able to agree a resolution, we must follow this CHP to provide a clear and reasoned response to each of the issues raised.

What to do when you receive a Complaint

9. Members of staff receiving a complaint should consider four key questions. This will help to either to respond to the complaint quickly (at Stage 1) or determine whether the complaint is more suitable for Stage 2.

What exactly is the complaint (or complaints)?

It is important to be clear about exactly what the individual is complaining about. We may need to ask the individual for more information and probe further to get a full understanding.

We will need to decide whether the issue can be defined as a complaint and whether there are circumstances that may limit our ability to respond to the complaint (such as the time limit for making complaints, confidentiality, anonymity or the need for consent). We should also consider whether the complaint is serious, high risk or high profile.

If the matter is not suitable for handling as a complaint, we will explain this to the individual (and signpost them to SPSO). There is detailed guidance on this step in [Part 2: When to use this procedure](#)

In most cases, this step will be straightforward. If it is not, the complaint may need to be handled immediately at Stage 2 (see **Stage 2: Investigation**).

What does the complainant want to achieve by complaining?

At the outset, we will clarify the outcome the complainant wants. Of course, the complainant may not be clear about this, and we may need to probe further to find out what they expect, and whether they can be satisfied.

Can I achieve this, or explain why not?

If a staff member handling a complaint can achieve the expected outcome, for example by providing an on the spot apology or explain why they cannot achieve it, they should do so.

The complainant may expect more than we can provide. If so, we will tell them as soon as possible.

Complaints, which can be resolved or responding to quickly should be managed at Stage 1 (see **Stage 1: Frontline Response**)

If I cannot respond, who can help?

If the complaint is single and straightforward, but the staff member receiving the complaint cannot deal with it because, for example, they are unfamiliar with the issues or area of service involved, they should pass the complaint to someone who can respond quickly.

If it is not a simple and straightforward complaint that can realistically be closed within 5 working days (or ten, if an extension is appropriate), it should be handled immediately at Stage 2. If the complainant refuses to engage at Stage 1, insisting that they want their complaint investigated, it should be handled immediately at Stage 2. **See Stage 2: Investigation.**

Any complaints which are dealt with at Stage 2 should be addressed to:

**Integration Joint Board
Health and Social Care Business Support Team
c/o Dumfries and Galloway Royal Infirmary
Cargenbridge**

**DUMFRIES
DG1 4TG**

Or by emailing dg.hslog@nhs.scot or telephone 01387241346

In exceptional circumstances staff may have to work remotely, therefore our preferred method of initial communication would be via telephone to the above number or via email.

Stage 1 – Frontline response

10. Frontline response aims to respond quickly (within five working days) to straightforward complaints that require little or no investigation.
11. Any member of staff may deal with complaints at this stage (including the staff member complained about, for example with explanation or apology). The main principle is to respond to complaints at the earliest opportunity and as close to the point of service delivery as possible.
12. We may respond to the complaint by providing an on the spot apology where appropriate, or explaining why the issue occurred and, where possible, what will be done to stop this happening again. We may also explain that, as an organisation that values complaints, we may use the information given when we review service standards in the future. If we consider an apology is appropriate, we may wish to follow the [SPSO guidance on apology](#).
13. **Part 2, Appendix 1** gives examples of the types of complaints we may consider at this stage, with suggestions on how to handle them.
14. Complaints which are not suitable for frontline response should be identified early, and handled immediately at **Stage 2: Investigation**.

Notifying staff members involved:

15. If the complaint is about the actions of another Staff/Board member, the complaint should be shared with them, where possible, before responding (although this should not prevent us responding to the complaint quickly, for example where it is clear that an apology is not warranted).

Timelines:

16. Frontline response must be completed within five working days, although in practice we would often expect to respond to the complaint much sooner. 'Day one' is always the date of receipt of the complaint (or the next working day if the complaint was received on a weekend or on a public holiday).

Extension to the timeline:

17. In exceptional circumstances, a short extension of time may be necessary due to unforeseen circumstances (such as the availability of a key member of staff). Extensions must be agreed with an appropriate manager. We will tell the complainant about the reasons for the extension, and when they can expect a response. The maximum extension that can be granted is five working days (that is, no more than **ten working days** in total from the date of the receipt).
18. If a complaint will take more than five working days to look into, it should be handled at Stage 2 immediately. The only exception to this is where the complaint is simple and could normally be handled within five working days, but it is not possible to begin immediately (for example, due to the

absence of a key staff member). In such cases, the complaint may still be handled at Stage 1 if it is clear that it can be handled within the extended timeframe of up to ten working days.

19. If a complaint has not been closed within ten working days, it should be assigned to Stage 2 for a final response.
20. **Appendix 1** provides further information on timelines.

Closing the complaint at the frontline response stage:

21. If we convey the decision face to face or on the telephone, we are not required to write to the complainant (although we may choose to). We must:
 - Tell the complainant the outcome of the complaint (whether it is resolved, upheld, partially upheld or not upheld)
 - Explain the reasons for our decision (or the agreed action taken to resolve the complaint (see **Resolving the complaint**); and
 - Explain that the complainant can escalate the complaint to Stage 2 if they remain dissatisfied and how to do so (we should not signpost to the SPSO) until the service user has completed Stage 2)
22. We will keep a full and accurate record of the decision given to the complainant. If we are not able to contact the complainant by phone, or speak to them in person, we will provide a written response to the complaint where an email or postal address is provided; covering the points above.
23. If the complaint is about the actions of a particular staff/Board member/s, we will share them with any part of the complaint response which relates to them, (unless there are compelling reasons not to).
24. The complaint should then be closed and the complaints system updated accordingly.
25. At the earliest opportunity after the closure of the complaint, the staff member handling the complaint should consider whether any learning has been identified. See [Part 4: Learning from complaints](#)

Stage 2 – Investigation

26. Not all complaints are suitable for frontline response and not all complaints will be satisfactorily addressed at that stage. Stage 2 is appropriate where:
 - The complainant is dissatisfied with the frontline response or refuses to engage at the frontline stage, insisting they wish their complaint to be investigated. Unless exceptional circumstances apply, the complainant must escalate the complaint within six months of when they first knew of the problem or within two months of the Stage 1 response, whichever is later (see [Part 2: Time limits for making a complaint](#))
 - The complaint is not simple and straightforward (for example where the complainant has raised a number of issues, or where information from several sources is needed before we can establish what happened and/or what should have happened)
 - The complaint relates to serious, high risk or high profile issues (see [Part 2: Serious, high-risk or high-profile complaints](#)).
27. An investigation aims to explore the complaint in more depth and establish all the relevant facts. The aim is to resolve the complaint where possible, or to give the complainant a full, objective and

proportionate response that represents our final position. Wherever possible, complaints should be investigated by someone not involved in the complaint (for example, a line manager or manager from a different area)

28. Details of the complaint must be recorded on the complaints system. Where appropriate, this will be done as a continuation of frontline response. If the investigation stage follows a frontline response for the investigation should have access to all case notes and associated information.
29. The beginning of Stage 2 is a good time to consider whether complaint resolution approaches other than in investigation may be helpful (see **Alternative complaint resolution approaches**).

Acknowledging the complaint

30. Complaints must be acknowledged within three working days of receipt at Stage 2
31. We must issue the acknowledgement in a format which is accessible to the complainant, taking into account their preferred method of contact.
32. Where the points of complaint and expected outcomes are clear from the complaint, we must set these out in the acknowledgment and ask the complainant to get in touch with us immediately if they agree. See **Agreeing the points of complaint and outcome sought**.
33. Where the points of complaint and expected outcomes are not clear, we must tell the complainant we will contact them to discuss this.

Agreeing the points of complaint and outcome sought

34. It is important to be clear from the start of Stage 2 about the points of complaint to be investigated and what outcomes the complainant is seeking. We may also need to manage the complainant's expectations about the scope of our investigation.
35. Where the points of complaint and outcome sought are clear, we can confirm our understanding of these with the complainant when acknowledging the complaint (see **Acknowledging the complaint**).
36. Where the points of complaint and outcome sought are not clear, we must contact the complainant to confirm these. We will normally need to speak to the complainant (by phone or face to face) to do this effectively. In some cases it may be possible to clarify complaints in writing. The key point is that we need to be sure we and the complainant have a shared understanding of the complaint. When contacting the complainant we will be respectful of their stated preferred method of contact. We should keep a clear record of any discussion with the complainant.
37. In all cases, we must have a clear shared understanding of:

- **What are the points of complaint to be investigated?**

While the complaint may appear to be clear, agreeing the points of complaint at the outset ensures there is a shared understanding and avoids the complaint changing or confusion arising at a later stage. The points of complaint should be specific enough to direct the investigation, but broad enough to include any multiple and specific points of concern about the same issue.

We will make every effort to agree the points of complaint with the complainant (alternative complaint resolution approaches may be helpful at this stage). In very rare cases, it may not be possible to agree the points of complaint (for example, if the complainant insists on an unreasonably large number of complaints being separately investigated, or on framing their complaint in an abusive way). We will manage any such cases in accordance with our

(name of policy) bearing in mind that we should continue to investigate the complaint (as we understand it) wherever possible.

- **Is there anything we can't consider under the CHP?**

We must explain if there are any points that are not suitable for handling under the CHP (see [Part 2: What to do if the CHP does not apply](#)).

- **What outcome does the complainant want to achieve by complaining?**

Asking what outcome the complainant is seeking helps direct the investigation and enables us to focus on resolving the complaint where possible.

- **Are the complainant's expectations realistic and achievable?**

It may be that the complainant expects more than we can provide or has unrealistic expectations about the scope of the investigation. If so, we should make this clear to them as soon as possible.

Notifying staff/Board members involved

38. If the complaint is about the actions of a particular staff/Board member/s, we will notify those involved (including where the staff/Board member is not named, but can be identified from the complaint). We will:

- share the complaint information with the member/s (unless there are compelling reasons not to)
- advise them how the complaint will be handled, how they will be kept updated and how we will share the complaint response with them
- discuss their willingness to engage with alternative complaint resolution approaches (where applicable); and
- signpost the staff member/s to a contact person who can provide support and information on what to expect from the complaint process (this must not be the person investigating or signing off the complaint response).

39. If it is likely that internal disciplinary processes may be involved, as the Integration Joint Board is not an employer this will be handled by the constituent authority/organisation to whom the member belongs, the requirements of that process should also be met. [Part 2: Complaints and disciplinary or whistleblowing processes](#).

Investigating the complaint

40. It is important to plan the investigation before beginning. The staff member investigating the complaint should consider what information they have and what they need about:

- What happened? (This could include, for example, records of phone calls or meetings, work requests, recollections of staff members or internal emails)
- What should have happened? (This should include any relevant policies or procedures that apply); and
- Is there a difference between what happened and what should have happened, and is (the organisation) responsible?

41. In some cases, information may not be readily available. We will balance the need for the information against the resources required to obtain it, taking into account the seriousness of the issue (for example, it may be appropriate to contact a former employee, if possible, where they hold key information about a serious complaint).

42. If we need to share information within or outwith the organisation, we will be mindful of our obligations under data protection legislation. See [Part 1: Maintaining confidentiality and data protection](#).

43. The SPSO has resources for conducting investigations, including:

- [Investigation plan template](#)
- [Decision-making tool for complaint investigators](#)

Alternative complaint resolution approaches

44. Some complex complaints, or complaints where complainants and other interested parties have become entrenched in their position, may require a different approach to resolving the matter. Where we think it is appropriate, we may use alternative approaches such as complaint resolution discussions, mediation or conciliation to try to resolve the matter and to reduce the risk of the complaint escalating further. If mediation is attempted, a suitable trained and qualified mediator should be used. Alternative complaint resolution approaches may help both parties to understand what has caused the complaint, and so are more likely to lead to mutually satisfactory solutions.

45. Alternative complaint resolution approaches may be used to resolve the complaint entirely, or to support one part of the complaint process, such as understanding the complaint, or exploring the complainant's desired outcome.

46. The SPSO has [guidance on alternative complaint resolution approaches](#)

47. If the Integration Joint Board and the complainant (and any staff members involved) agree to using alternative resolution approaches, it is likely that an extension to the timeline will need to be agreed. This should not discourage the use of these approaches.

Meeting with the complainant during the investigation

48. To effectively investigate the complaint, it may be necessary to arrange a meeting with the complainant. Where a meeting takes place, we will always be mindful of the requirement to investigate complaints (including holding any meetings) within 20 working days wherever possible. Where there are difficulties arranging a meeting, this may provide grounds for extending the timeframe.

49. As a matter of good practice, a written record of the meeting should be completed and provided to the complainant. Alternatively, and by agreement with the person making the complaint, we may provide a record of the meeting in another format. We will notify the person making the complaint of the timescale within which we expect to provide the record of the meeting.

Timelines

50. The following deadlines are appropriate to cases at the investigation stage (counting day one as the day of receipt, or the next working day if the complaint was received on a weekend or public holiday):

- Complaints must be acknowledged within three working days (unless in exceptional circumstances where staff must work remotely and a written complaint is received)
- A full response to the complaint should be provided as soon as possible but not later than 20 working days from the time the complaint was received for investigation.

Extension to the timeline

51. Not all investigations will be able to meet this deadline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the 20 working day timeline. It is important to be realistic and clear with complainant about timeframes, and to

advise them early if we think it will not be possible to meet the 20 day timeframe, and why. We should bear in mind that extended delays may have a detrimental effect on the complainant.

52. Any extension must be approved by an appropriate manager. We will keep the complainant and any member/s of staff complained about updated on the reason for the delay and give them a revised timescale for completion. We will contact the complainant and any members of staff complained about at least once every 20 working days to update them on the progress of the investigation.

53. The reasons for an extension might include the following:

- Essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff, complainants or others but the person is not available because of long term sickness or leave
- We cannot obtain further essential information within normal timescales; or
- The complainant has agreed to alternative complaint resolution approaches as a potential route for resolution.

54. **Appendix 1** provides further information on timelines.

Closing the complaint at the investigation stage

55. The response to the complaint should be in writing (or by the complainant's preferred method of contact) and must be signed off by a manager or officer who is empowered to provide the final response on behalf of the Integration Joint Board. All complaints relating to the IJB should be coordinated via the office of the Chief Officer.

56. We will tell the complainant of the outcome of the complaint (whether it is resolved, upheld, partially upheld or not upheld). The quality of the complaint response is very important and in terms of good practice should:

- Be clear and easy to understand, written in a way that is person centred and non confrontational
- Avoid technical terms, but where these must be used, an explanation of the term should be provided
- Address all the issues raised and demonstrate that each element has been fully and fairly investigated
- Include an apology where things have gone wrong (this is different to an expression of empathy: see [the SPSO's guidance on apology](#))
- Highlight any area of disagreement and explain why no further action can be taken
- Indicate that a named member of staff is available to clarify any aspect of the letter; and
- Indicate that if they are not satisfied with the outcome of the local process, they may seek a review by the SPSO (see signposting to the SPSO).

57. Where a complaint has been resolved, the response does not need to provide a decision on all points of complaint, but should instead confirm the resolution agreed. See **Resolving the complaint**.

58. If the complaint is about the actions of a particular member/s, we will share with them any part of the complaint response which relates to them, (unless there are compelling reasons not to).

59. We will record the decision, and details of how it was communicated to the complainant, on the complaints system.

60. The SPSO has guidance on responding to a complaint:

- [Template decision letter](#)

- [Apology guidance](#)

61. At the earliest opportunity after the closure of the complaint, the staff member handling the complaint should consider whether any learning has been identified. See [Part 4: Learning from complaints](#).

Signposting to the SPSO

62. Once the investigation stage has been completed, the complainant has the right to approach the SPSO if they remain dissatisfied. We must make clear to the complainant:

- Their right to ask the SPSO to consider the complaint
- The time limit for doing so; and
- How to contact the SPSO

63. The SPSO considers complaints from people who remain dissatisfied at the conclusion of our complaints procedure. The SPSO looks at issues such as service failure and maladministration (administrative fault), and the way we have handled the complaint. There are some subject areas that are outwith the SPSO's jurisdiction, but it is the SPSO's role to determine whether an individual complaint is one that they can consider (and to what extent). All investigation responses must signpost to the SPSO.

64. The SPSO recommends that we use the wording below to inform complainants of their right to ask the SPSO to consider the complaint. This information should only be included on the Integration Joint Board's final response to the complainant.

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. This includes complaints about the Integration Joint Board. The SPSO is an independent organisation that investigates complaints. It is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

If you remain dissatisfied when you have had a final response from the Integration Joint Board you can ask the SPSO to look at your complaint. You can ask the SPSO to look at your complaint if:

- you have gone all the way through the Integration Joint Board Complaints Handling Procedure
- it is less than 12 months after you became aware of the matter you want to complain about, and
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of this letter (our final response to your complaint). You can do this online at www.spsso.org.uk/complain or call them on Freephone 0800 377 7330.

You may wish to get independent support or advocacy to help you progress your complaint. Organisations who may be able to assist you are:

- Citizens Advice Bureau
- Scottish Independent Advocacy Alliance

The SPSO's contact details are:

SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS
(if you would like to visit in person, you must make an appointment first)

Their freepost address is:
FREEPOST SPSO

Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us

Website www.spsso.org.uk

Post closure contact

65. If a complainant contacts us for clarification when they have received our final response, we may have further discussion with the complainant to clarify our response and answer their questions. However, if the complainant is dissatisfied with our response or does not accept our findings, we will explain that we have already given them our final response on the matter and signpost them to the SPSO.

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Appendix 1 – Timeline

References to timelines throughout the CHP relate to working days. We do not count non working days, for example weekends, public holidays and days of industrial action where our service has been interrupted.

Timelines at Frontline Response (Stage 1)

We will aim to achieve frontline response within 5 working days. The date of receipt is **day one**, and the response should be provided (or the complaint escalated) on **day five**, at the latest.

Please remember that if a written response is received during a time where staff must work remotely there may have to be some flexibility around the timeline.

If we have extended the timeline at the frontline response stage in line with the CHP, the response should be provided (or the complaint escalated) on **day ten**, at the latest.

Transferring cases from frontline response to investigation

If the complainant wants to escalate the complaint to the investigation stage, the case must be passed for investigation without delay. In practice this will mean on the same day that the complainant is told this will happen.

Timeline at Investigations (Stage 2)

For complaints at the investigation stage, **day one** is:

- The day the case is transferred from the frontline stage to the investigation
- The day the complainant asks for an investigation or expresses dissatisfaction after a decision at the frontline response stage; or
- The date we receive the complaint, if it is handled immediately at Stage 2

We must acknowledge the complaint within three working days of receipt at Stage 2 i.e. by day three.

We should respond in full to the complaint by day 20, at the latest. We have 20 working days to investigate the complaint, regardless of any time taken to consider it at the frontline response stage.

Exceptionally, we may need longer than the 20 working day limit for a full response. If so, we will explain the reasons to the complainant, and update them (and any staff involved) at least once every 20 working days.

Frequently asked questions

Q: What happens if an extension is granted at Stage 1, but then the complaint is escalated?

A: The extension at Stage 1 does not affect the timeframes at Stage 2. The Stage 2 timeframes apply from the day the complaint was escalated (we have 20 working days from this date, unless an extension is granted).

Q: What happens if we cannot meet an extended timeframe?

A: If we cannot meet the extended timeframe at Stage 1, the complaint should be escalated to Stage 2. The maximum timeframe allowed for a Stage 1 response is 10 working days. If we cannot meet the extended timeframe at Stage 2, a further extension may be approved by an appropriate Manager if

there are clear reasons for this. This should only occur in exceptional circumstances (the original extension should allow sufficient time to realistically investigate and respond to the complaint. Where a further extension is agreed, we should explain the situation to the complainant and give them a revised timeframe for completion. We must update them and any staff involved in the investigation at least once every 20 days.

Q: What happens when a complainant asks for Stage 2 consideration a long time after receiving a frontline response?

A: Unless exceptional circumstances exist, complainants should bring a Stage 2 complaint within six months of learning about the problem, or within two months of receiving the Stage 1 response (whichever is latest). See Part 2: Time limits for making a complaint.

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Appendix 2 – The Complaint Handling Process (flowchart for staff)

<p>A complainant may complain verbally or in writing, including face to face, by phone, letter or email.</p> <p>Your first consideration is whether the complaint should be dealt with at Stage 1 (frontline response) or Stage 2 (investigation).</p>	
↓	↓
<p>Stage 1: Frontline Response</p> <p>Always try to respond quickly, wherever we can</p>	<p>Stage 2: Investigation</p> <p>Investigate where:</p> <ul style="list-style-type: none"> • The complainant is dissatisfied with the frontline response or refuses to engage with attempts to handle the complaint at Stage 1 • It is clear that the complaint requires investigation from the outset
↓	↓
<p>Record the complaint and notify any staff complained</p>	<p>Record the complaint and notify any staff complained about.</p> <p>Acknowledge the complaint within three working days</p> <p>Contact the complainant to agree:</p> <ul style="list-style-type: none"> • Points of complaint • Outcome sought • Manage expectations (where required) <p>(these can be confirmed in the acknowledgement where the complaint is straightforward)</p>
↓	↓
<p>Respond to the complaint within five working days unless there are exceptional circumstances</p>	<p>Respond to the complaint as soon as possible, but within 20 working days unless there is a clear reason for extending the timescale</p>
↓	↓
<p>Is the complainant satisfied?</p> <p>You must always tell the complainant how to escalate to Stage 2</p>	<p>Communicate the decision, normally in writing.</p> <p>Signpost the complainant to SPSO and advise of time limits</p>
↓	↓
<p>(Yes) Record outcome and learning, and close complaint</p> <p>(No) → to Stage 2</p>	<p>Record outcome and learning, and close complaint</p>
↓	↓
<p>Follow up on agreed actions flowing from the complaint</p> <p>Share any learning points</p>	



Part 4: Governance

Contents

Roles and Responsibilities

Recording, reporting, learning from and publicising complaints

- **Recording complaints**
- **Learning from complaints**
- **Reporting of complaints**
- **Publicising complaints information**

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Roles and responsibilities

1. All staff, working with the Integration Joint Board will be aware of:
 - The Complaints Handling Procedure (CHP)
 - How to handle and record complaints at the frontline stage
 - Who they can refer a complaint to, in case they are not able to handle the matter
 - The need to try and resolve complaints early and as close to the point of service delivery as possible; and
 - Their clear authority to attempt to resolve any complaints that they may be called upon to deal with.
2. Training on this procedure will be part of the localised induction for all new members of the Health and Social Care Business Support team who work on behalf of the Integration Joint Board. Refresher training will be provided for current staff on a regular basis.
3. Management will ensure that:
 - The Integration Joint Boards final position on a complaint investigation is signed off by an appropriate lead officer in order to provide assurance that this is the definitive position of the Integration Joint Board and that the complainant's concerns have been taken seriously.
 - It maintains overall responsibility and accountability for the management and governance of complaints handling (including complaints about contracted services)
 - It has an active role in, and understanding of, the CHP (although not necessarily involved in the decision making process of complaint handling)
 - Mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored and reviewed by the Integration Joint Board or one of its Committees
 - Complaints information is used to improve services and this is evident from regular publications.
4. The Chief Officer of the Integration Joint Board provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective CHP, with a robust investigation process that demonstrates how we learn from the complaints we receive. The Chief Officer may take a personal interest in all or some of the complaints, or may delegate responsibility for the CHP to a senior staff member.
5. The Chief Officer is also responsible for ensuring that there are governance and accountability arrangements in place in relation to complaints about contractors. This includes:
 - Ensuring performance monitoring for complaints is a feature of the service/management agreements between the Integration Joint Board and contractors
 - Setting clear objectives in relation to the complaints procedure and putting appropriate monitoring system in place to provide the Integration Joint Board with an overview of how the contractor meets its objectives
6. The Chief Officer may delegate responsibility to other senior officers of the Integration Joint Board to:

- Manage complaints and the way we learn from them
 - Overseeing the implementation of actions required as result of the complain
 - Investigating complaints; and
 - Deputising for the Chief Officer on occasion.
7. They may also be responsible for preparing and signing off decisions to complainants, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint. As part of this process all responses to complaints will be made the Health and Social Care Business Support Team who work in the office of the Chief Officer.
 8. Heads of service may be involved in any operational investigation and management of complaints handling. As senior officers they may be responsible for preparing and signing decision letters to complainants, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint.
 9. The complaints investigator is responsible and accountable for the management of the investigation. They may work in a service delivery team and will be involved in the investigation and in coordinating all aspects of the response to the customer. This may include preparing a comprehensive written report, including details of any procedural change in service delivery and identifying wider opportunities for learning across the organisation.
 10. The training officer is responsible for ensuring all staff and members of the Integration Joint Board receive training on the CHP s part of the induction process, and that refresher training is provided for current staff on a regular basis.
 11. The SPSO's liaison officer role may include providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on our behalf in response to the SPSO reports and confirming and verifying that recommendations have been implemented.

Recording, reporting, learning from and publicising complaints

12. Complaints provide valuable feedback. One of the aims of the CHP is to identify opportunities to improve service delivery. By recording and analysing complaints data, we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.
13. We also have arrangements in place to ensure complaints about contractors are recorded, reported on and publicised in line with the CHP.

Recording complaints

14. It is important to record suitable data to enable us to fully investigate and respond to the complaint, as well as using our complaint information to track themes and trends. As a minimum, we should record:
 - The complainants name and contact details
 - The date the complaint was received
 - The nature of the complaint
 - The service the complaint refers to
 - Staff member responsible for handling the complaint
 - Action taken and outcome at frontline response stage
 - Date the complaint was closed at the frontline response stage
 - Date the investigation stage was initiated (if applicable)
 - Action taken and outcome at investigation stage (if applicable)
 - Date the complaint was closed at the investigation stage (if applicable)

- The underlying cause of the complaint and any remedial action taken.
 - If the complaint is sent to the SPSO the outcome of their investigation
15. If the complainant does not want to provide any of this information, we will reassure them that it will be managed appropriately, and record what we can.
16. Individual complaint files will be stored electronically in line with the Integration Joint Board Records Management Policy and Plan.

Learning from complaints

17. We must have clear systems in place to act on issues identified in complaints. As a minimum, we must:
- Seek to identify the root cause of complaints
 - Take action to reduce the risk of occurrence
 - Systematically review complaints performance reports to improve service delivery
18. Learning may be identified from individual complaints (regardless of whether the complaint is upheld or not) and from analysis of complaints data
19. Where we have identified the need for service improvement in response to an individual complaint, we will take appropriate action.
- The action needed to improve services must be authorised by an appropriate manager
 - An officer or team should be designated as owner of the issue, with responsibility for ensuring the action is taken
 - A target date must be set out for the action to be taken
 - The designated individual must follow up to ensure that the action is taken within the agreed timescale
 - Where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved
 - Any learning points should be shared with staff
20. SPSO has guidance on Learning from complaints
21. Senior managers will review the information reported on complaints regularly to ensure that any trends or wider issues which may not be obvious from individual complaints are quickly identified and addressed. Where we identify the need for service improvement, we will take appropriate action. Where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved.

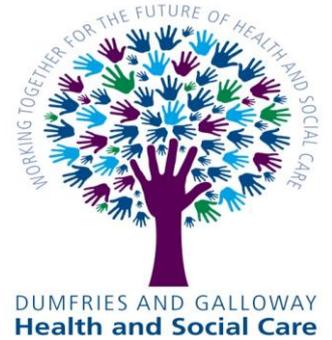
Reporting of complaints

22. We have a process for the internal reporting of complaints information, including analysis of complaints trends which is dealt with through the Health and Social Care Governance and Performance Operational Group. Regularly reporting the analysis of complaints information helps to inform the management of where services need to improve.
23. We will report at least quarterly to the Integration Joint Board or one of its Committees on:
- Performance statistics, in line with the complaints performance indicators published by SPSO
 - Analysis of the trends and outcomes of complaints (this should include highlighting where there are areas where few or no complaints are received, which may indicate either good practice or that there are barriers to complaining in that area)

Publicising complaints information

24. We publish on a quarterly basis information on complaints outcomes and actions taken to improve services.
25. This demonstrates the improvements resulting from complaints and shows that complaints can help us improve our services. It also helps ensure transparency in our complaints handling service and will help to show complainants that we value their complaints.
26. We will publish an annual complaints performance report on our website in line with the SPSO requirements, and provide this to the SPSO on request. This summarises and builds on the quarterly reports we produce about our services. It includes:
 - Performance statistics, in line with the complaints performance indicators published by the SPSO
 - Complaint trends and the actions that have been taken or will be taken to improve services as a result
27. These reports must be easily accessible to members of the public and available in alternative formats as requested

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Part 5: Dumfries and Galloway Integration Joint Board Complaints Handling Procedure

DUMFRIES
DG1 2DD

Email: commentsandcomplaints@dumgal.gov.uk
Telephone: 01387 260467
Website: <https://www.dumgal.gov.uk/complaints>

We value complaints and use information from them to help us improve our services.

1. If something goes wrong or you are dissatisfied with a decision that has been taken by our Integration Joint Board, please tell us. This document describes our complaints handling procedure and how to make a complaint. It also tells you about how we will handle your complaint and what you can expect from us.

What is a complaint?

2. We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?

3. You can complain about things like:
 - Failure or refusal to provide a service
 - Inadequate quality or standard of service, or an unreasonable delay in providing a service
 - Dissatisfaction with one of our policies or its impact on the individual
 - Failure to properly apply law, procedure or guidance when delivering services
 - Failure to follow the appropriate administrative process
 - Conduct, treatment by or attitude of a member or staff or contractor (except where there are arrangements in place for the contractor to handle the complaint themselves); or
 - Disagreement with a decision (except where there is a statutory procedure for challenging the decision, or an established process followed throughout the sector).
4. Your complaint may involve more than one organisation or service or be about someone working on our behalf.

What can't I complain about?

5. There are some things we can't deal with through our Complaints Handling Procedure. These include:
 - A routine first time request for a service
 - A request for compensation only

- Issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)
 - Disagreement with a decision where there is a statutory procedure for challenging that decision (such as freedom of information and subject access requests), or an established appeals process followed throughout the sector.
 - A request for information under the Data Protection or Freedom of Information (Scotland) Acts
 - A grievance by a staff member or a grievance relating to employment or staff recruitment
 - A concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
 - A concern about a child or adult's safety
 - An attempt to reopen a previously concluded complaint or to have a complaint considered where we have already given our final decision
 - Abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by their employing authorities; or a concern
 - A concern about the actions or service of a different organisation, where we have no involvement in the issue (except where the other organisation is delivering services on our behalf)
6. If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

Who can complain?

7. Anyone who is affected by the decisions, policies or the administrative or decision making process followed by the IJB in reaching a decision can make a complaint to us. This includes the representative of someone who is dissatisfied (for example, a relative, friend, advocate or adviser). If you are making a complaint on someone else's behalf, you will normally need their written consent.

How do I complain?

8. You can complain in person at our office, by phone, in writing or by email.
9. It is easier for us to address complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve the issue.
10. When complaining please tell us:
- Your full name and contact details
 - As much as you can about the complaint
 - What has gone wrong; and
 - What outcome you are seeking

How long do I have to make a complaint?

11. Normally you must make your complaint within six months of:

- The event you want to complain about; or
- Finding out that you have a reason to complain

12. In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

What happens when I have complained?

13. We will always tell you who is dealing with your complaint. Our complaints procedure has two stages.

Stage 1: Frontline response:

- We aim to respond to complaints quickly (where possible, when you first tell us about the issue). This could mean an on-the-spot apology and explanation if something has clearly gone wrong; or immediate action to resolve the problem.
- We will give you our decision at Stage 1 in five working days or less, unless there are exceptional circumstances.
- If you are not satisfied with the response we give at this stage, we will tell you what you can do next. If you choose to, you can take your complaint to Stage 2. You must normally ask us to consider your complaint at Stage 2 either:
 - Within six months of the event you want to complain about or finding out that you have a reason to complain; or
 - Within two months of receiving your Stage 1 response (if this is later).

14. In exceptional circumstances, we may be able to accept a Stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

Stage 2: Investigation

15. Stage 2 deals with two types of complaint; where the customer remains dissatisfied after Stage 1 and those that clearly require investigation, and so are handled directly at this stage. If you do not wish your complaint to be handled at Stage 1, you can ask us to handle it at Stage 2 instead.

16. When using Stage 2:

- We will acknowledge receipt of your complaint within three working days
- We will confirm our understanding of the complaint we will investigate and what outcome you are looking for.
- We will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation); and

- Where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within 20 working days

If our investigation will take longer than 20 working days, we will inform you. We will tell you of our revised time limits and keep you updated on progress.

What if I'm still dissatisfied?

17. After we have given you our final decision, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO are an independent organisation that investigates complaints. They are not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

You can ask the SPSO to look at your complaint if:

- you have gone all the way through the Integration Joint Boards complaints handling procedure
- it is less than 12 months after you became aware of the matter you want to complain about; and
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of our final response to your complaint. You can do this online at www.spsso.org.uk/complain/form or call them on Freephone 0800 377 7330.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on **Getting help to make your complaint** below.

The SPSO's contact details are:

SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS
(if you would like to visit in person, you must make an appointment first)

Their freepost address is:
FREEPOST SPSO

Freephone: 0800 377 7330
Online contact www.spsso.org.uk/contact-us
Website: www.spsso.org.uk

18. We understand that you may be unable or reluctant to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.
19. You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance on 01315109410 or via their website on www.siaa.org.uk
20. You can find out about advisors in your area through Citizens Advice Scotland:
21. Visit www.cas.org.uk or by checking your local telephone directory for your local Citizens Advice Bureau.

22. We are committed to making our service easy to use for all members of the community in line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help you access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font or Braille, please tell us in person, contact us on 01387 241346, or via email on dg.hslog@nhs.scot

23. We can also give you this information in other languages and formats (such as large print, audio and Braille).

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Quick guide to our complaints procedure

Complaints procedure

You can make your complaint in person, by phone, by email or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need investigation, we will tell you and keep you updated on our progress.

Stage 1: Frontline response

We will always try to respond to your complaint quickly, within **five working days** if we can.

If you are dissatisfied with our response, you can ask us to consider your complaint at stage 2.

Stage 2: Investigation

We will look at your complaint at this stage if you are dissatisfied with our response at stage 1. We also look at some complaints immediately at this stage, if it is clear that they need investigation.

We will acknowledge your complaint within **three working days**.

We will confirm the points of complaint to be investigated and what you want to achieve.

We will investigate the complaint and give you our decision as soon as possible. This will be after no more than **20 working days** *unless* there is clearly a good reason for needing more time.

Scottish Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it.

We will tell you how to do this when we send you our final decision.

We will tell you how to do this when we send you our final decision.